

**MEMO ENDORSED**

October 16, 2020

Hon. Ona T. Wang  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl St., Courtroom 20D  
New York, NY 10007

RE: *Make the Road New York, et al. v. Ken Cuccinelli, et al.*, 19-cv-7993; *State of New York, et al. v. U.S. Dep't of Homeland Security, et al.*, 19-cv-7777

Dear Judge Wang:

The parties in these consolidated cases submit this joint letter motion respectfully requesting that the Court set the following agreed deadlines. Plaintiffs filed amended complaints adding new claims relating to the Federal Vacancies Reform Act on October 2, 2020. Defendants' response to the amended complaints is currently due on October 16, 2020. Defendants have stated that they intend to move to dismiss the new claims, and Plaintiffs have stated that they intend to move for summary judgment on those claims. The parties have conferred on a schedule for Defendants' response and for briefs on the anticipated motions, and jointly propose the following schedule:

The parties jointly propose the following schedule:

- 1) October 27, 2020 – Plaintiffs' Motion for Partial Summary Judgment.
- 2) November 17, 2020 – Defendants' Response in Opposition and Cross-Motion to Dismiss.
- 3) December 10, 2020 – Plaintiffs' Reply and Opposition to Defendants' Cross-Motion.
- 4) December 18, 2020 – Defendants' Reply.

The parties respectfully request that the Court set the briefing schedule requested herein.

**SO ORDERED:**

Application GRANTED.



**Ona T. Wang**                    10/23/20  
United States Magistrate Judge

Respectfully,

By: /s/ Jonathan Hurwitz

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